



City of Gaithersburg

31 South Summit Avenue
Gaithersburg, Maryland 20877

Planning Commission Regular Session Agenda City Hall - Council Chambers Wednesday, June 19, 2013, 7:30 PM

I. APPROVAL OF MINUTES

- A. May 15, 2013, Planning Commission Meeting
- B. June 5, 2013, Planning Commission Meeting
- C. June 7, 2013, Planning Commission ULI Tour

II. RECORD PLATS

III. CONSENT ITEMS

IV. PERMITS

- A. **TREE-3246-2013 -- St. Martin of Tours Church**
R-90 Zone
7 George Street
TREE REMOVAL VARIANCE

V. SITE PLANS

VI. FROM THE COMMISSION

VII. FROM STAFF

- A. 2012 Annual Planning Report

VIII. ADJOURNMENT

To confirm accessibility accommodations, please contact the Department of Planning and Code Administration at 301-258-6330.

Please turn off all cellular phones and pagers prior to the meeting. Hand held signs brought may not be displayed in a manner which disrupts the meeting, blocks the view of spectators or cameras and poses a safety concern [e.g., signs mounted on stakes]. Your cooperation is appreciated.

All revised site plans to be reviewed by the Planning Commission will be due twelve (12) days before the meeting. All plans, except for **Consent Agenda** items, will require the applicant to post sign(s) of the hearing date on the property under consideration at least nine (9) days before the meeting. Planning staff will provide all signs, which are to be picked up at City Hall. All information to be submitted for Planning Commission meetings will be due **no later than 12:00 PM on the Friday** before the meeting. Materials associated with any agenda item may be reviewed at the offices of the Planning and Code Administration during regular business hours.

The Planning Commission normally will not begin consideration of a new site plan 10:30 PM, and the Chairman will announce anything contrary. The Alternate does not participate on regulatory items, unless a Commissioner is absent.

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ANNOUNCEMENTS



MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION MAY 15, 2013

Chair John Bauer called the meeting to order at 7:30 p.m. Present at the meeting were Vice-Chair Lloyd Kaufman, and Commissioner Danny Winborne, Community Planning Director Trudy Schwarz, Planner Rob Robinson and Recording Secretary Linda Kobylski.

I. CONSENT

AFP-2523-2013 -- Seneca Center II, LLC E-1 Zone
 18753 North Frederick Avenue #200
 Change of Use for Martial Arts Academy
 Parking Calculation Revision
 AMENDMENT TO FINAL PLAN REVIEW

Commissioner Winborne moved, seconded by Vice-Chair Kaufman,
 to APPROVE the CONSENT agenda.

Vote: 3-0

II. RECOMMENDATION TO MAYOR AND CITY COUNCIL

SDP-1842-2013 -- Application for schematic development plan approval in accordance with Annexation Petition X-182 and Sketch Plan Z-315, located in the Crown Property Neighborhood 1 (Outlot B, Block C), in Gaithersburg, Maryland. The subject application proposes the conversion of a multi-family building to 70 two-over-two condominium units. The subject property site is bordered by Copley Place and Diamondback Drive.

Planner Robinson located the site and gave an overview of the issues addressed during the public hearing held on April 15, 2013. Topics included the conversion, size and purpose of pocket green, elevations, connectivity and adequacy of parking. Discussion also included concern over emergency ingress/egress into and out of the site and explained the applicant's proposed amendment to the plan in response to these concerns. He also outlined the five proposed options in response to the issue of ingress/egress and indicated the applicant's preference of a non-paved access road off of Copley Place and into the neighborhood. This option would not require any loss of units or on street parking. He stated that staff prefers option two which would result in the loss of one unit but creates a true entrance and exit.

Chair Bauer expressed concerns with Option 1 (one) as it results in a dead end street, especially when guidelines encourage multiple connectivity and grids. He also voiced concerns that the access road would be used by non-emergency vehicles for parking, in essence blocking access for emergency vehicles. Chair Bauer stated he would favor a more permanent drive.

Vice-Chair Kaufman asked who would be responsible for maintaining a grasscrete surface road to which Planner Robinson responded the Homeowners Association. Vice-Chair Kaufman stated his concerns with maintenance of grasscrete, particularly when there is snowfall accumulation.

Chair Bauer again voiced his concern with connectivity. He also stated it is not yet a final plan, if the number of units must change, or a shift in forest conservation delineation must occur to make it work, the applicant should, stating that at the Schematic Development Plan stage they should make the connectivity work and it should be the recommendation.

Applicant Karl Alt, Westbrook Properties, explained that Option 1(A), which would not extend Copley Place, would result in the loss of two units. He also stated Option 2 (two), with an extension of Copley Place results in the loss of two units, an increase in impervious surface, affects forest conservation and a loss of on-street parking. Mr. Alt also stated Option 3 (three) was complicated by a major grade difference.

Vice-Chair Kaufman responded there was a surplus in parking and that two of the three options being considered result in the loss of one lot, two units.

Planner Robinson explained that options that include exits onto Decoverly Drive were not viable from an engineering perspective, and would direct residents away from Crown and links to highways and back into the residential neighborhoods in the County.

Chair Bauer asked if there were engineering or legal restrictions that would prevent Copley Place from being extended enough not to affect the number of units and turn back into the inside road to which Planner Robinson responded anything could be overcome with engineering. Chair Bauer indicated he did not support the grasscrete solution.

Vice-Chair Kaufman voiced concerns over customers exiting the bank onto Copley Place being directed back into the neighborhood. Chair Bauer indicated he did not believe it would be a problem and Commissioner Winborne stated signage could provide a remedy.

Chair Bauer reiterated that at this stage of the project, the plan should not result in a dead end street and the connectivity needs to be reasonable. Vice-Chair Kaufman concurred, recommending that staff work with the applicant to create a viable option that is acceptable to both parties. Commissioner Winborne suggested a possible hybrid of Option 2 that would extend Copley Place.

Chair Bauer, Vice-Chair Kaufman and Commissioner Winborne concurred the record should reflect Option 2 should be considered with possible modifications; the Commission is not adverse to the plan encroaching a bit on the existing outlot to maintain the unit count; and that the Commission would not support the grasscrete option.

Commissioner Kaufman moved, seconded by Commissioner Winborne to recommend SDP-1842-2013 – for APPROVAL to the City Council with the following two conditions:

1. Applicant is to work with staff to refine design details of the secondary access prior to final plan approval in order to better promote circulation and prevent dead ends; and
2. Applicant is to amend the comprehensive Forest Conservation Plan for approval prior to submission of any Neighborhood 3 planning applications.

Vote: 3-0

III. FROM THE COMMISSIONCommissioner Winborne

Commented on the upcoming Book Festival scheduled for this Saturday, May 18th and encouraged all to attend.

IV. FROM STAFFCommunity Planning Director Schwarz

Commented on her participation in a recent Work Session with the Mayor and City Council concerning the re-design of Constitution Gardens. She gave a brief overview of the project and gave a Power Point presentation.

Stated the Commission's meetings in June would follow the regular calendar and a joint public hearing with the City Council is scheduled for July 1, 2013 regarding a text amendment for the Board of Appeals.

V. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 8:21 p.m.

Respectfully submitted,

Linda Kobylski
Recording Secretary

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION
JUNE 5, 2013

Chair John Bauer called the meeting to order at 7:30 p.m. Present at the meeting were Vice-Chair Lloyd Kaufman, Commissioners Matthew Hopkins, Danny Winborne, and Joseph Coratola (Alternate), Planning Director Lauren Pruss, Community Planning Director Trudy Schwarz, Planner Greg Mann, and Recording Secretary Myriam Gonzalez. Chair Bauer noted Alternate Commissioner Coratola would be participating this evening, since not all Commissioners are present. Absent: Commissioner Geri Lanier.

I. APPROVAL OF MINUTES

April 13, 2013, Planning Commission Training Session

Commissioner Hopkins moved, seconded by Commissioner Winborne, to APPROVE the Minutes of the April 13, 2013, Planning Commission Training Session, as submitted.

Vote: 4-0-1 (Abstained: John Bauer)

May 1, 2013, Planning Commission Meeting

Vice-Chair Kaufman moved, seconded by Alternate Commissioner Coratola, to APPROVE the Minutes of the May 1, 2013, Planning Commission Meeting, as submitted.

Vote: 4-0-1 (Abstained: Matt Hopkins)

May 15, 2013, Planning Commission Meeting

Deferred

II. SIGN PERMITS

SIGN-2909-2013 -- Montgomery County Agricultural Fairgrounds MXD Zone
16 Chestnut Street
Monument Sign Revision
SIGN APPROVAL

Planning Director Pruss introduced Planner Greg Mann, who located the property and presented the colored elevation of the proposed sign and a photograph of the existing sign. He discussed the dimensions of the proposed lettering.

Montgomery County Agricultural Center Executive Director Martin Svrcek indicated that the date of the fair will not be included on this new sign. He noted the existing brick will remain unchanged, although the signage will be higher within the brick piers so that the landscaping does not block any part of it. He answered questions of the Commission relating to the readability of the lettering for motorists and logo size.

There was no testimony from the public.

Planner Mann voiced staff's recommendation for approval as it complies with the City Code approval criteria.

Chair Bauer stated he had no objections to the proposal, noting the majority of traffic at the subject location is pedestrian. Commissioner Hopkins supported the smaller lettering with larger logo to preclude clutter.

Alternate Commissioner Coratola moved, seconded by Vice-Chair Kaufman, to grant SIGN-2909-2013 - Montgomery County Agricultural Fairgrounds, SIGN APPROVAL, finding it in compliance with Zoning Ordinance § 24-170(m)(5).

Vote: 5-0

SIGN-3173-2013 -- Mini Dealership C-2 Zone
SIGN-3174-2013 621 North Frederick Avenue
SIGN-3177-2013
SIGN-3179-thru-
SIGN-3183-2013 SIGN APPROVAL

Planner Mann located the property and the proposed locations of the signs under consideration, and noted the application includes a waiver request for the height of one pylon sign (A-6, SIGN-2179-2013).

Applicant Ken Padgett, J&M Services, Inc., presented elevations of the proposed signage and discussed its specifications, noting the new pylon identification sign on Russell Avenue is 15' tall, requiring a waiver of the 10' allowed height. He stated the reason for the noncompliance is the height of the existing landscaping and the distance from the street.

There was no testimony from the public.

Co-applicant Richard Carter noted the subject location is not easily found by motorists or GPS devices, since signage is not allowed on the North Frederick Avenue frontage by the landlord.

Commissioners Hopkins and Winborne commented in favor of the package as well as granting the waiver request in light of the applicant's case for hardship. Vice-Chair Kaufman voiced some concern over a precedent, given there are other dealerships on the property. It was noted the others do not have the visibility and site limitations of the subject site. In response to the Commission, staff recommended one motion for approval, as opposed to a separate motion for the waiver request.

Alternate Commissioner Coratola moved, seconded by Vice-Chair Kaufman, to grant SIGN-3173-2013, SIGN-3174-2013, SIGN-3177-2013, SIGN-3179 thru SIGN-3183-2013, finding it in compliance with Zoning Ordinance § 24-212(b).

Vote: 5-0

III. FROM THE COMMISSIONChair Bauer

1. Read a statement announcing that members of the Planning Commission would be attending an Urban Land Institute (ULI) Washington Housing Initiative Council bus tour, titled, "Visualizing Density in the National Capital Region," on June 7, 2013.
2. Congratulated Greg Mann on his new position as planner.

IV. FROM STAFFCommunity Planning Director Schwarz

Listed upcoming regular Commission meetings on June 19 and July 10, and announced that a previously-scheduled joint work session with the City Council on July 8 has been postponed.

Planning Director Pruss

Reported that upon reviewing minor amendments to site plans for buildings in the R-90 Cluster, staff found most applications comply with Zoning Ordinance § 24-172A and can be approved by staff rather than scheduling them on the Commission's consent agenda. Commissioner Hopkins suggested including the staff process in the letter to applicants. The Commission agreed to staff's recommendation.

V. ADJOURNMENT

There being no further business to come before this session, the meeting was duly adjourned at 8:06 p.m.

Respectfully submitted,

M. Gonzalez
Recording Secretary

**MINUTES OF URBAN LAND INSTITUTE BUS TOUR
OF THE PLANNING COMMISSION
JUNE 7, 2013**

The Planning Commission attended a Urban Land Institute (ULI) Washington Housing Initiative Council bus tour on Friday, June 7, 2013 from 9 a.m. to 3:30 pm. Present on the tour were Chair Bauer, Vice-Chair Lloyd Kaufman, Commissioners Matthew Hopkins, Danny Winborne, and Joseph Coratola (Alternate), and Planning and Code Administration Director John Schlichting.

I. TOUR

The Planning Commissioners and Planning and Code Administration Director Schlichting participated in an Urban Land Institute (ULI) Washington Housing Initiative Council bus tour for Planning Officials of the National Capital Region. The tour, titled "Visualizing Density in the National Capital Region," was an educational bus tour of exemplary development projects in the Washington D.C. region.

The tour began at 9:00 a.m. and concluded at 3:30 p.m.

Respectfully submitted,

John Schlichting
Director of Planning and Code Administration

STAFF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: June 19, 2013

SITE PLAN: **TREE-3246-2013**

TITLE: Tree at St. Martin's Convent

REQUEST: **TREE REMOVAL WAIVER**
For 39-Inch Tree Pin Oak

ADDRESS: 7 George Street

ZONE: R-90 (Medium Density Residential)

Applicant/Owner: St. Martin of Tours Church

STAFF LIAISON: Trudy Schwarz, Community Planning Director

Enclosures:

Staff Comments & Location Map
Exhibits

Exhibit 1: TREE-3246-2013 Application, Variance Letter & Tree Report
Exhibit 2: Forest Conservation Plan 2009

The Planning Commission granted final Amendment to Final Site Plan for St. Martin of Tours Catholic Church (St. Martin's) to construct a convent at 7 George Avenue (AFP-08-022 & AFP-09-020). The site of the convent is George Street on the Church's property west of South Frederick Avenue (Maryland Route 355) and bounded by Desellum Avenue and George Street. The 3.8-acre property is zoned R-90 (Medium Density Residential) and R-B (Residential Buffer) as delineated on the site plan.





The application requests the removal of a 39-inch Pin Oak tree. The tree's health is declining and the property owner has submitted a tree removal application.

II. SCOPE OF REVIEW:

Planning Commission review of the proposed tree removal is necessary due to the size of this tree. Because the tree measures greater than 30" DBH, the proposed tree removal requires the Planning Commission to grant a variance pursuant to the provisions of § 22-12, Variance Provisions, of the City Code which states:

Sec. 22-12. Variance provisions.

- (a) The following trees, shrubs, plants, and specific areas shall be considered priority for retention and protection, and they shall be left in an undisturbed condition unless the applicant has demonstrated, to the satisfaction of the City of Gaithersburg that the applicant qualifies for a variance under 22-12(d) of this chapter:
 - (1) Trees, shrubs, or plants identified on the list of rare, threatened, and endangered species of the U.S. Fish and Wildlife Service or the State of Maryland;
 - (2) Trees that are part of a historic site, historic resource, or associated with a historic district or designated by the State of Maryland or City of Gaithersburg as a national, state, or local Champion Tree; and
 - (i) Trees that are part of a historic site, historic resource, or associated with a historic district shall be subject to the Historic Preservation Ordinance under Chapter 24, Article XII of the City Code.

- (3) Trees having a diameter measured at four and one-half (4½) feet above the ground of:
 - (i) 30 inches; or
 - (ii) 75% of the diameter, measured at four and one-half (4½) feet above the ground, of the current State Champion Tree of that species as designated by the Department.
- (b) **Written request.** A person may request from the planning commission, or the city council on a development plan, in writing a variance from this chapter or any regulation adopted under it if the person demonstrates that enforcement would result in unnecessary hardship or practical difficulty to the person.
- (c) **Application requirements.** An applicant for a variance must:
 - (1) Describe the special conditions peculiar to the property which would cause the hardship;
 - (2) Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas;
 - (3) Verify that state water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance; and
 - (4) Provide any other information appropriate to support the request.
- (d) **Minimum criteria.** A variance must not be granted if granting the request:
 - (1) Will confer on the applicant a special privilege that would be denied to other applicants;
 - (2) Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; or
 - (3) Will violate state water quality standards or cause measurable degradation in water quality.
- (e) **Approval procedures; conditions.** The planning commission, or the city council on a development plan, must make findings that the applicant has met all requirements of this section before granting a variance. Appropriate conditions may be imposed to promote the objectives of this chapter and protect the public interest.

III. SITE PLAN ANALYSIS AND FINDINGS:

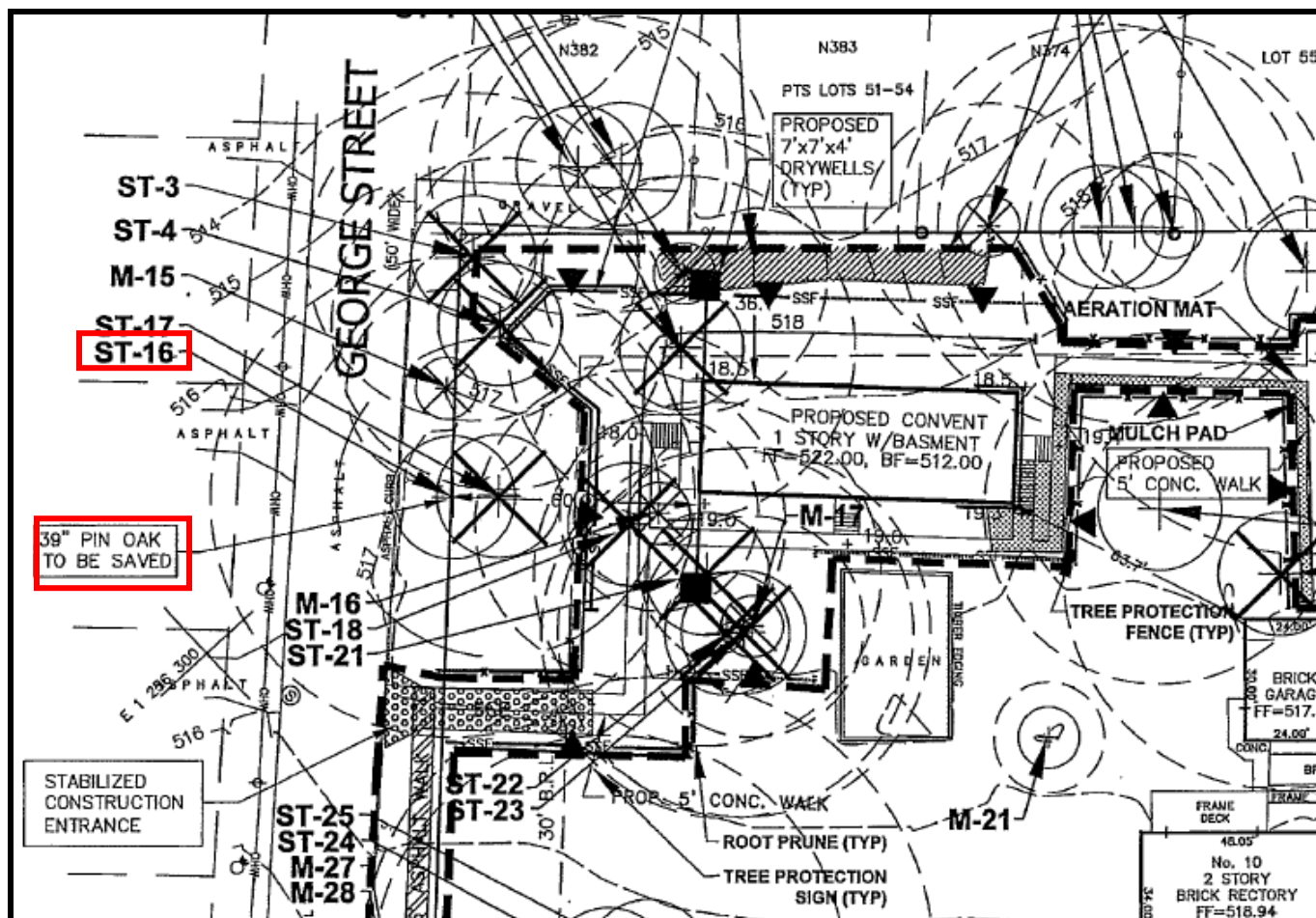
In accordance with § 22-12(e), the Planning Commission has the authority to grant a variance to allow the removal of a tree that is 30 inches or larger. Staff is providing the following comments and findings for Planning Commission consideration:

Discussion of Proposal

The applicant is requesting approval of the removal of a 39-inch Pin Oak tree. As part of the approved plan for St. Martin's (AFP-08-022 & AFP-09-020), the subject tree was

to be preserved. At the time of approval, there was concern raised about the health of the tree by the neighbors. The Planning Commission added the following condition to the plan:

1. The applicant is to have an arborist on site to evaluate the health and structure of the oak tree (ST-16) during the tree removal and three months after removal;



Approved Forest Conservation Plan 2009

At that time the tree was listed in moderate health in 2009. Construction of the Convent followed. As part of the landscape plan, several trees were planted near this location. In October of 2010, the neighbors once again were concerned about the tree leaning towards the street and their homes. St. Martin's had the tree evaluated as outlined in a letter from Charles Musser. Since then the tree has continued to decline in health. Mr. Musser is recommending removal of the tree. St. Martin's has submitted a letter requesting a variance to remove this tree.

Findings and Recommendation

City staff has evaluated the arborist report and agrees that the tree is now in fair condition and should be removed as it presents a danger to the neighboring houses. For the Planning Commission to approve the removal of the subject tree, the

Commission must first find in favor of a variance pursuant to § 22-12. Staff concurs with the applicant's statement regarding the variance, and finds that the removal of the subject tree will not confer on the applicant a special privilege that would be denied to other applicants. Although the subject tree is identified on the forest conservation plans, it does not count towards any forest conservation credits required by City code. Further, the removal of the tree does not arise from a condition relating to land or building use on a neighboring property or violate state water quality standards or cause measurable degradation in water quality.

IV. CONCLUSION:

Staff recommends that the Planning Commission make a motion to **GRANT THE REQUESTED VARIANCE FOR TREE REMOVAL PERMIT TREE-3246-2013, FINDING IT IN CONFORMANCE WITH § 22-12 OF THE CITY CODE.**

TREE - 3246 - 2013
5/30/13 #22.00

P&CA

PLANNING AND CODE ADMINISTRATION

City of Gaithersburg · 31 South Summit Avenue · Gaithersburg, Maryland 20877 · Telephone: (301) 258-6330 · Fax: (301) 258-6336
plancode@gaithersburgmd.gov · www.gaithersburgmd.gov

TREE REMOVAL APPLICATION

All information must be complete to initiate processing of application

SUBJECT PROPERTY

Street Address 7 George Street

Tax Identification Number (if no address) _____

APPLICANT/BILLING CONTACT

Name St. Martin of Tours Church

Street Address 201 S. Frederick Avenue

Suite No. _____

City Gaithersburg

State Maryland

Zip Code 20877

Telephone Numbers: Work 301-990-3203

Cell _____

E-mail Address parish@stmartinsweb.com

PROPERTY OWNER

Name St. Martin of Tours Church

Street Address 201 S. Frederick Avenue

Suite No. _____

City Gaithersburg

State Maryland

Zip Code 20877

Telephone Numbers: Work 301-990-3203

Cell _____

E-mail Address parish@stmartinsweb.com

CONTRACTOR

Business Name C&L Tree Service

License No. 058

Primary Contact Chuck Musser

Street Address 17020 Longdraft Road

Suite No. _____

City Gaithersburg

State Maryland

Zip Code 20878

Telephone Numbers: Work 301-926-4646

Cell _____

E-mail Address boxcarr89@msn.com

WORK DESCRIPTION

a. Number of trees to be removed 1

b. Reason for Removal: ☐ Emergency Tree Removal ☐ Storm Damage

☒ Other (explain) Tree is leaning towards electrical poles and houses across George Street

c. Replacement of trees (if applicable). List species and location of trees (or participation in other tree replacement programs.)

None— numerous trees were planted two years ago as part of the construction of 7 George Street

Applicant's Signature

Rev. Mark E. Brennan

Date

May 23, 2013

SUBMISSION REQUIREMENTS

a. One (1) copy of site plan or house location plat indicating location of tree(s) to be removed.

NOTE: if tree is part of the approved site plan it must be replaced per staff's instructions.

b. Photograph of tree(s) to be removed (optional, except for Historic Area Work Permits).

c. Arborist's reports and/or tree service evaluation, if any, may be required, except for Historic Area Work Permits.

d. Historic Area Work Permit application, if tree(s) to be removed is/are located on a historically designated site or district.

e. If applicable, attach Home Owners' Association approval in accordance with community bylaws, declarations or covenants.

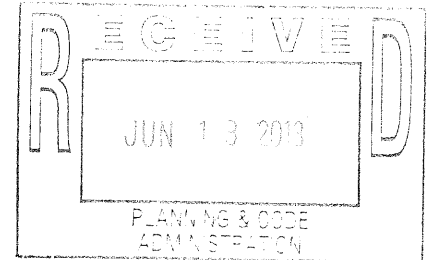


St. Martin of Tours Catholic Church

201 S. Frederick Ave. Gaithersburg, MD 20877

12 June 2013

Ms. Trudy M. Walton Schwarz, CFM
Community Planning Director
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, Maryland 20877



Dear Ms. Schwarz,

Please accept this letter as a formal request and justification for a variance request (if required) by St. Martin of Tours Church, for the removal of a Pin Oak located in front of our property at 7 George Street.

As background, the subject Pin Oak was included in the Forest Conservation/Tree Save Plan approved on May 29, 2009. The tree is listed as number ST-16 Quercus Palustris-Pin Oak 39.0" in moderate tree condition.

We are requesting a variance for the removal of the subject tree.

In accordance with Section 22-12(B0), the following information is provided as required.

1 - *Describe the special conditions peculiar to the property with would cause the hardship:* Since this plan was approved, tree has begun to lean over George Street towards two houses (6 and 8 George Street) and over power lines. Our arborist report is attached and lists the tree as in decline with root failure. In addition, we have included letters from the residents of 6 and 8 George advocating the removal of the tree. We would like to remove the tree before it falls and causes extensive damage to homes and power lines.

2 - *Describe how enforcement of these rules will deprive the landowner of rights not commonly enjoyed by others in similar areas:* Failure to grant the variance will cause the tree to damage power lines and residences.

3 - *Verify that state water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of granting of a variance:* The property is subject to an approved Erosion and Sediment Control Plan and Stormwater Management Plan. The best management practice on these plans has already been installed. In addition, as part of the approved Planting Plan, many new trees were added in 2009.

4 - *Provide any other information appropriate to support the request.* Attached please find a letter from our arborist concerning the health of the tree.

In accordance with Section 22-12(d) Minimum criteria, the following information is provided:

1. *Will confer on the applicant a special privilege that would be denied to other applicants:* This request will not confer a special privilege to this applicant since the tree is leaning and is a hazard

2. *Is based on conditions or circumstances which are the result of the actions by the applicant:* This request does not arise based on conditions or circumstance which are the result of action by this applicant.

3. *Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property:* This request does not arise from a condition relating to land or building use on a neighboring property.

4. *Will violate state water quality standards or cause measurable degradation in water quality:* State water quality standards will not be violated and there will be no measurable degradation in water quality since the property is subject to a an approved Erosion and Sediment Control Plan.

Based upon the information provided herein, the requirements of this section have been provided sufficient to insure a variance and allow us to remove the tree.

Please feel free to contact us with any questions or comments concerning this request.

Sincerely



Rev. Msgr. Mark E. Brennan
Pastor



407 Woodland Road
Gaithersburg, Maryland 20877
926-4646

6 October 2010

Fax: (301) 963-1438

**City of Gaithersburg
Att.: Gregg Ryberg**

This is in regards to Large Oak Tree on George Street, across the street from #16 George Street.

This tree has been under stress for several years and it is dying back all over the crown.

The tree is not dangerous and I would like to wait until the spring to see if we can save it or remove it.

Sincerely,

A handwritten signature in cursive script, reading 'Charles F. Musser'. The signature is written in dark ink and is positioned above the printed name and title.

**Your Tree Expert,
Charles F. Musser
C&L Tree Service, Inc.**

OK 127 2010 10 07
OK 126 2010 10 07



June 7, 2013

C&L Tree Service, Inc.

17020 Longdraft Road

Gaithersburg, MD 20878

(301) 926-4646 [O] (301) 330-7342 [F]

LTE #058

St. Martin of Tours Catholic Church

201 S. Frederick Ave.

Gaithersburg, MD 20877

Att.: Diane

Ref.: Tree Evaluation

TO WHOM IT MAY CONCERN:

This is our Evaluation of the Oak tree located on George Street, in Gaithersburg:

The crown of the tree is in decline which indicates root failure. It is also leaning across the street towards houses and over wires.

Sincerely,

CFM, Jr.

Charles F. Musser, Jr.

C&L Tree Service, Inc.

Ms. Trudy M. Walton Schwarz, CFM
Community Planning Director
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, Maryland 20877

Dear Ms. Schwarz,

I am writing this letter in support of the request by St. Martin of Tours Church to remove a Pin Oak situated in front of 7 George Street.

I reside at Ce GEORGE STREET. I believe it is in the best interest of the neighborhood to have this tree removed so it does not fall on homes or disrupt power.

Thank you for your time,

Michael Cavanaugh
Steel Cavanaugh

6/12/2013

Ms. Trudy M. Walton Schwarz, CFM
Community Planning Director
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, Maryland 20877

Dear Ms. Schwarz,

I am writing this letter in support of the request by St. Martin of Tours Church to remove a Pin Oak situated in front of 7 George Street.

I reside at 8 GEORGE ST. GAITHERSBURG, MD. I believe it is in the best interest of the neighborhood to have this tree removed so it does not fall on homes or disrupt power.

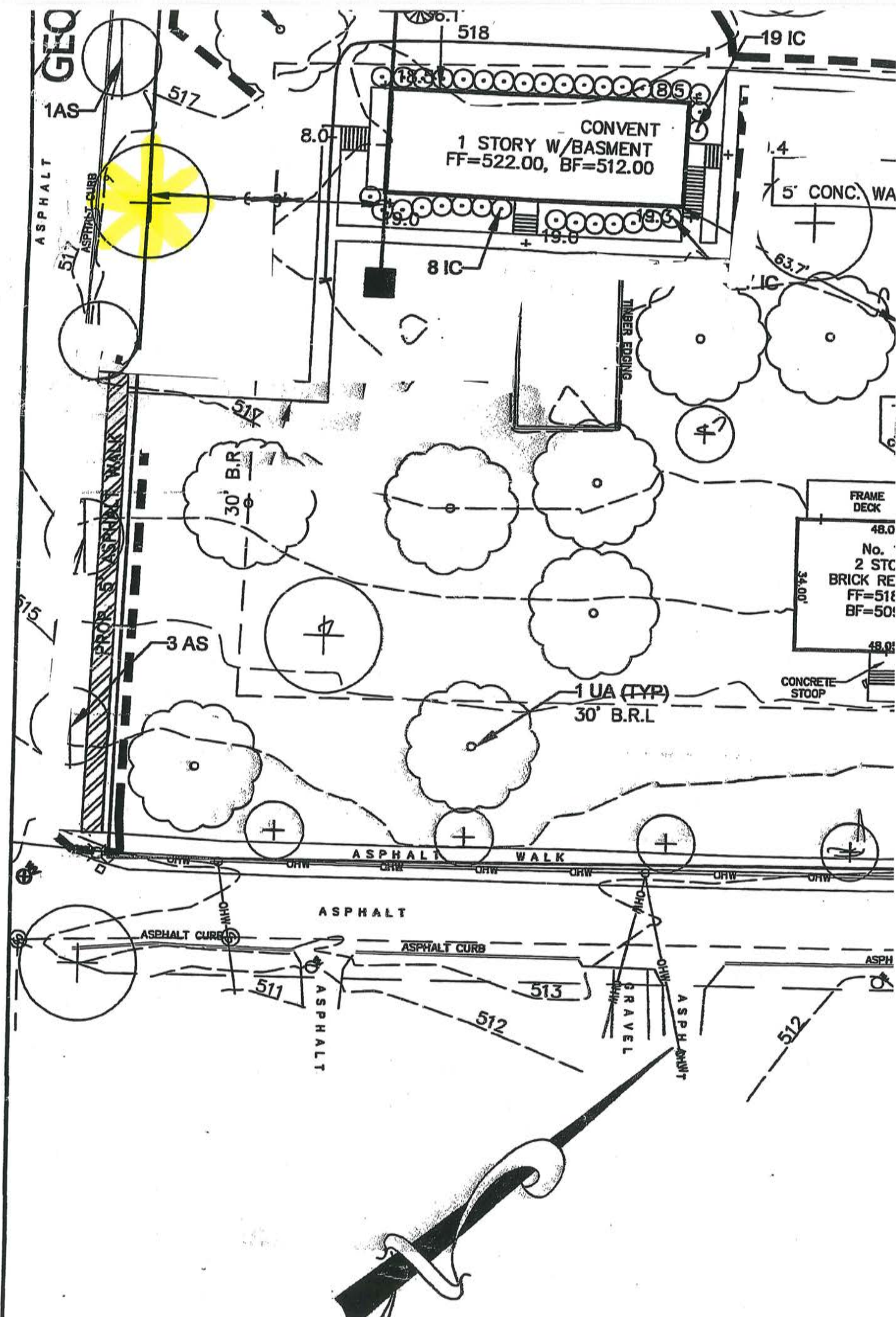
Thank you for your time,

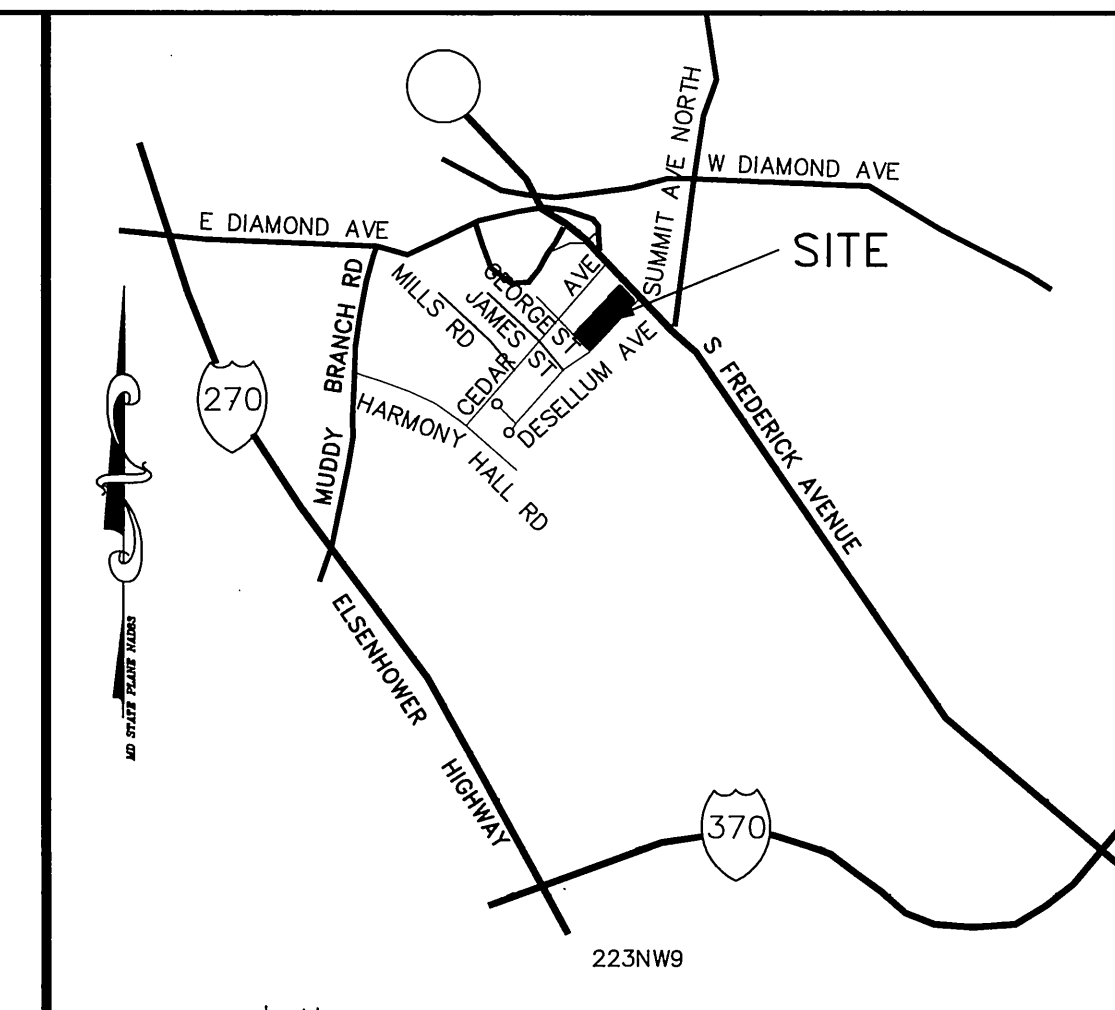
William H. Taylor

6-12-13









VICINITY MAP
SCALE: 1" = 2000'

MADDOX
INCORPORATED
ENGINEERS • SURVEYORS
100 PARK AVENUE
ROCKVILLE, MARYLAND 20850-2699
(301) 762-9001

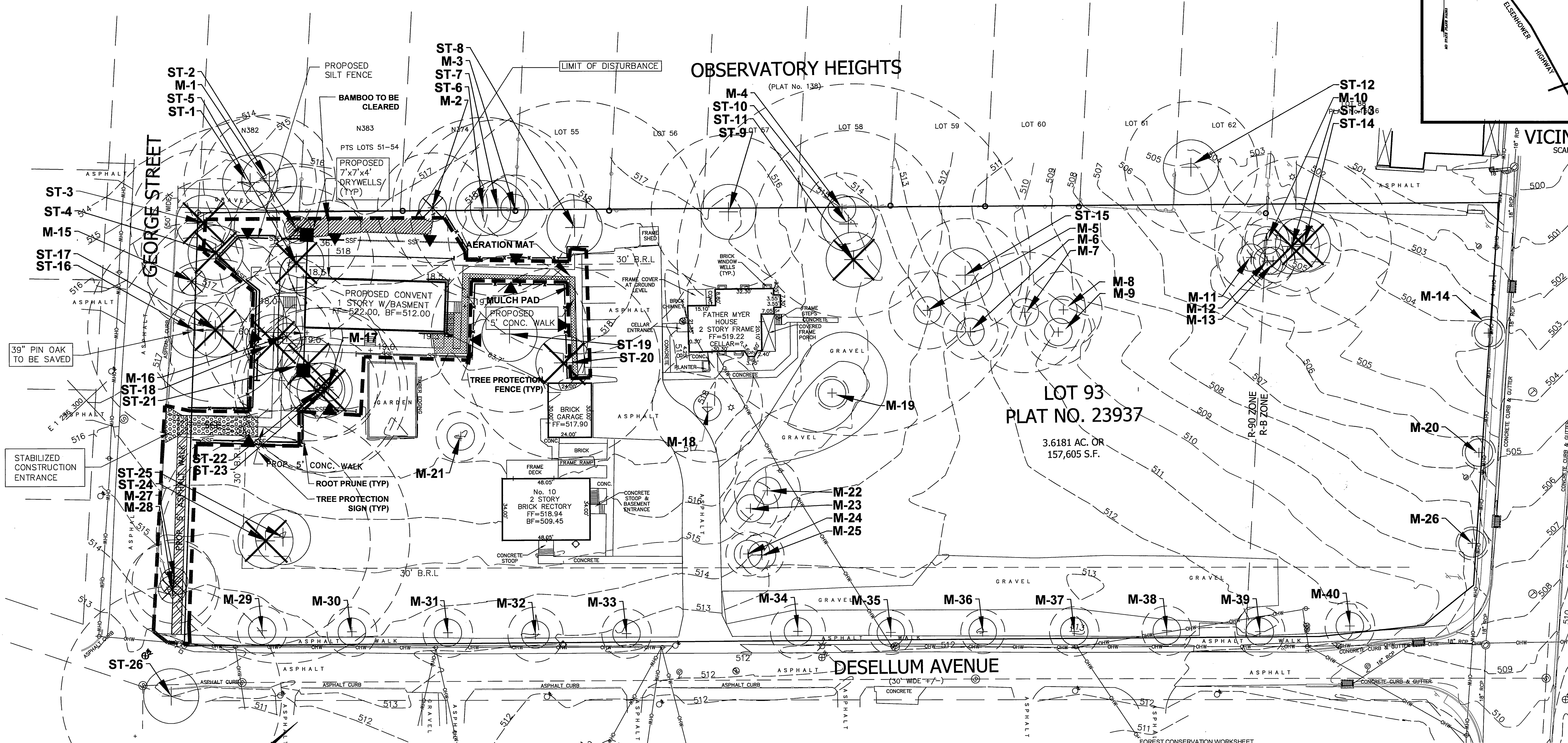
FOREST CONSERVATION/
TREE SAVE PLAN

PROPERTY OF
ST. MARTIN'S CHURCH
L.378 F.149
CITY OF GAITHERSBURG

Benning & Associates, Inc.
Land Planning Consultants
2005 S. Frederick Avenue
Gaithersburg, MD 20877
(301) 944-0240



S. FREDERICK AVENUE (MD RTE 355)
(SHA PLAT NO. 48216)



- LEGEND:**
- TREE PROTECTION SIGN
 - TREE PROTECTION FENCE
 - SIGNIFICANT TREE
 - CRITICAL ROOT ZONE
 - TREE TO BE REMOVED
 - ROOT PRUNE
 - LIMITS OF DISTURBANCE
 - AERATION MAT

- SEDIMENT CONTROL ENTRANCE
- SUPER SILT FENCE
- MINOR TREE
- AREA TO BE CLEARED
- MULCH PAD

NET TRACT AREA:

A. Net tract area	3.80
B. Total area to be disturbed	0.37

LAND USE CATEGORY: (from Trees Technical Manual)
Input the number "1" under the appropriate land use, limit to only one entry.

	ARA	MDR	IDA	HDR	MPD	CIA
G. Afforestation Threshold	0.00	0.00	1.00	0.00	0.00	0.00
H. Conservation Threshold	0.00	0.00	1.00	0.00	0.00	0.00

EXISTING FOREST COVER:

I. Existing forest cover	0.00
J. Area of forest above afforestation threshold	0.00
K. Area of forest above conservation threshold	0.00

BREAK EVEN POINT:

L. Forest retention above threshold with no mitigation	0.00
M. Clearing permitted without mitigation	0.00

PROPOSED FOREST CLEARING:

N. Total area of forest to be cleared	0.00
O. Total area of forest to be retained	0.00

PLANTING REQUIREMENTS:

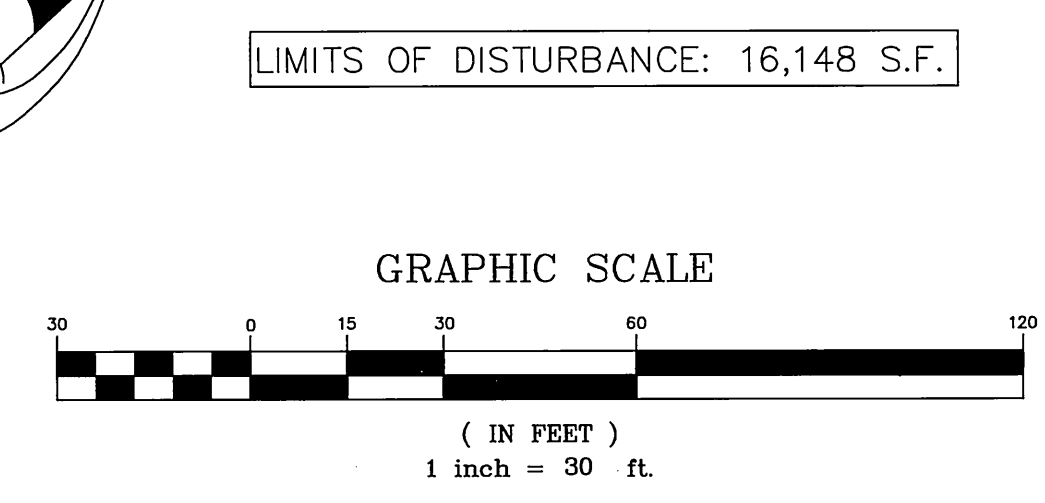
P. Reforestation for clearing above conservation threshold	0.00
Q. Reforestation for clearing below conservation threshold	0.00
R. Credit for retention above conservation threshold	0.00
S. Total reforestation required	0.00
T. Total afforestation required	0.06
U. Credit for landscaping (may not exceed 20% of "S")	0.00
V. Total reforestation and afforestation required	0.06

NOTE

1. FOREST CONSERVATION CALCULATIONS ARE ONLY FOR SECTION OF PROPERTY THAT WILL BE DISTURBED.
2. REMOVE INVASIVE BAMBOO AND TREE-OF-HEAVEN ALONG THE NORTHWEST PROPERTY LINE.
3. 6 AMERICAN ELM 'LIBERTY' WILL BE PLANTED TO COMPENSATE FOR THE TREES REMOVED OUTSIDE OF THE LIMIT OF DISTURBANCE.

INTERNATIONAL SOCIETY OF ARBORICULTURE CERTIFIED ARBORIST # MA-4514A

CITY OF GAITHERSBURG
31 SOUTH SUMMIT AVENUE
GAITHERSBURG, MARYLAND 20877
FCP APPROVAL
THE CITY OF GAITHERSBURG DEVELOPMENT REVIEW TEAM HEREBY GRANTS APPROVAL OF
FOREST CONSERVATION PLAN
FOR APPLICATION NO. PL-V080015
DATE 5/29/09 BY [Signature]



* Root pruning trench to be incorporated with super silt fence trench where applicable.

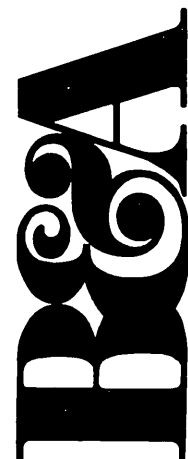
SIGNIFICANT TREE CHART							
TREE NUMBER	BOTANICAL NAME	COMMON NAME	SIZE(D.B.H.)	TREE CONDITION	COMMENTS	STATUS	STRESS REDUCTION MEASURES
ST-1	Carya species	Hickory	24" (Approximate)	Good	Off-site		Tree protection fence & signs
ST-2	Picea species	Spruce	24" (Approximate)	Good	Off-site		Aeration, root prune, mulch in crz
ST-3	Robinia pseudoacacia	Black Locust	27" (Approximate)	Poor	Dieback, rot and decay, Poison Ivy on trunk, dead limbs, tree growing out of trunk wound. This tree is a hazard and should be removed as soon as possible.	To be removed as soon as possible	
ST-4	Robinia pseudoacacia	Black Locust	27.0" (Approximate)	Moderate-Poor	Poison Ivy and Climbing Euonymus on trunk, trunk cavity, rot and decay, borer damage	To Be Removed	
ST-5	Robinia pseudoacacia	Black Locust	28" (Approximate)	Moderate	Euonymus on trunk, dead limbs, dieback, decay	To Be Removed	
ST-6	Acer saccharinum	Silver Maple	33.0"	Poor	Off-site. This tree is a hazard and should be removed as soon as possible		Tree protection fence & signs
ST-7	Acer saccharinum	Silver Maple	32.0"	Poor	Off-site. This tree is a hazard and should be removed as soon as possible		Aeration, root prune, mulch in crz
ST-8	Fraxinus americana	White Ash	46"	Poor	Climbing Euonymus on trunk, trunk cavity, dieback, dead branches, rot and decay. This tree is a hazard and should be removed as soon as possible	To be removed as soon as possible	
ST-9	Acer saccharinum	Silver Maple	28"	Moderate	Dieback	Not to be impacted	
ST-10	Juglans nigra	Black Walnut	34"	Moderate	Dieback, declining crown, leaf spot, decay	Not to be impacted	
ST-11	Acer platanoides	Norway Maple	64" (Approximate)	Poor	Lost leader, girdling roots, rot and decay, compartmentalized root wound, English Ivy on trunk. This tree is a hazard and should be removed as soon as possible	To be removed as soon as possible	
ST-12	Acer platanoides	Norway Maple	24" (Approximate)	Poor	Off-site. This tree is a hazard and should be removed as soon as possible	To be removed as soon as possible	
ST-13	Prunus serotina	Black Cherry	24"	Poor	Compartmentalized root wounds, dieback with rot and decay, dead limbs. This tree is a hazard and should be removed as soon as possible.	To be removed as soon as possible	
ST-14	Acer negundo	Boxelder	32"	Poor	Dead limbs, dieback with rot and decay, trunk cavity, Climbing Euonymus on trunk. This tree is a hazard and should be removed as soon as possible.	To be removed as soon as possible	
ST-15	Acer saccharinum	Silver Maple	31.0"	Moderate	Compartmentalized root wound, dieback		
ST-16	Quercus palustris	Pin Oak	39.0"	Moderate	Climbing Euonymus and English Ivy on trunk, Dieback		In FUE
ST-17	Robinia pseudoacacia	Black Locust	26.0"	Dead	This tree is a hazard and should be removed as soon as possible.	To be removed as soon as possible	
ST-18	Robinia pseudoacacia	Black Locust	25.2"	Poor	Trunk wound, included bark at branch union, dead leader. This tree is a hazard and should be removed as soon as possible	To be removed as soon as possible	
ST-19	Acer rubrum	Red Maple	28.5"	Moderate	Dieback		Aeration mat, root prune, mulch in CRZ, remove dead limbs, tree protection fence and signs
ST-20	Acer saccharinum	Silver Maple	35.5"	Moderate	Girdling roots, dieback	To be removed at time of construction	
ST-21	Robinia pseudoacacia	Black Locust	28.2"	Poor	English Ivy on trunk, dead leader, compartmentalized root wound. This tree is a hazard and should be removed as soon as possible	To be removed as soon as possible	
ST-22	Robinia pseudoacacia	Black Locust	30"	Poor	Dead limbs, dieback, rot and decay. This tree is a hazard and should be removed as soon as possible	To be removed as soon as possible	
ST-23	Robinia pseudoacacia	Black Locust	30"	Poor	Dead limbs, dieback, rot and decay. This tree is a hazard and should be removed as soon as possible	To be removed as soon as possible	
ST-24	Quercus rubra	Northern Red Oak	38"-0"	Poor	Decay, dead limbs, dieback, rot and decay, lost leader. This tree is a hazard and should be removed as soon as possible	To be removed as soon as possible	
ST-25	Quercus rubra	Northern Red Oak	46.0" (Approximate)	Moderate	dieback, dead limbs, water sprouts		Tree protection fence & sign, root prune, remove dead limbs
ST-26	Quercus falcata	Southern Red Oak	40" (Approximate)	Good	Off-site		

MINOR TREE CHART							
TREE NUMBER	BOTANICAL NAME	COMMON NAME	SIZE(D.B.H.)	TREE CONDITION	COMMENTS	STATUS	STRESS REDUCTION MEASURES
M-1	Robinia pseudoacacia	Black Locust	23" (Approximate)	Poor	Dieback with rot and decay, Poison Ivy and Climbing Euonymus on trunk. This tree is a hazard and should be removed as soon as possible.	Remove as soon as possible	
M-2	Prunus serotina	Black Cherry	20"	Poor	Off-site. This tree is a hazard and should be removed as soon as possible.	Remove as soon as possible	
M-3	Prunus serotina	Black Cherry	12" (Approximate)	Moderate	Off-site	Not to be impacted	
M-4	Prunus serotina	Black Cherry	13"	Moderate	Dieback	Not to be impacted	
M-5	Juniperus virginiana	Eastern Red Cedar	14"	Moderate	Trunk lean, dieback	Not to be impacted	
M-6	Juniperus virginiana	Eastern Red Cedar	10"	Moderate	slight lean	Not to be impacted	
M-7	Juniperus virginiana	Eastern Red Cedar	22"	Good	Compartmentalized root wound, severe lean	Not to be impacted	
M-8	Juniperus virginiana	Eastern Red Cedar	14"	Moderate	Dieback	Not to be impacted	
M-9	Juniperus virginiana	Eastern Red Cedar	12"	Moderate	Dieback	Not to be impacted	
M-10	Acer saccharinum	Silver Maple	8"	Moderate	Dieback	Not to be impacted	
M-11	Prunus serotina	Black Cherry	12"	Moderate	Dieback	Not to be impacted	
M-12	Acer saccharinum	Silver Maple	10	Moderate	Dieback	Not to be impacted	
M-13	Acer saccharinum	Silver Maple	6"	Moderate	Dieback	Not to be impacted	
M-14	Gleditsia triacanthos	Honeylocust	6"	Moderate	Pruning wound	Not to be impacted	
M-15	Prunus serotina	Black Cherry	16.8" (Approximate)	Poor	Multi-stem, trunk cavity, dieback, water sprouts. This tree is a hazard and should be removed as soon as possible	To-be removed	
M-16	Robinia pseudoacacia	Black Locust	16"	Moderate-Poor	Poison Ivy on trunk, dead limbs	To-be removed	
M-17	Robinia pseudoacacia	Black Locust	18"	Poor	Dead limbs, dieback, rot and decay. This tree is a hazard and should be removed as soon as possible	Remove as soon as possible	
M-18	Pyrus calleryana	Bradford Pear	10"	Good		Not to be impacted	
M-19	Acer saccharinum	Silver Maple	6"	Good		Not to be impacted	
M-20	Gleditsia triacanthos	Honeylocust	6"	Good		Not to be impacted	
M-21	Pyrus calleryana	Bradford Pear	9"	Good		Not to be impacted	
M-22	Pyrus calleryana	Bradford Pear	12"	Moderate	wounded branch unit from weak scaffolding	Not to be impacted	
M-23	Pyrus calleryana	Bradford Pear	10"	Good		Not to be impacted	
M-24	Juniperus virginiana	Eastern Red Cedar	8"	Moderate	Dieback	Not to be impacted	
M-25	Juniperus virginiana	Eastern Red Cedar	8"	Moderate	Dieback	Not to be impacted	
M-26	Gleditsia triacanthos	Honeylocust	6"	Moderate	Leaf w/ it	Not to be impacted	
M-27	Prunus serotina	Black Cherry	15"	Poor	Multi-stem, trunk wound, dieback with rot and decay, dead limbs. This tree is a hazard and should be removed as soon as possible.	Remove as soon as possible	
M-28	Prunus serotina	Black Cherry	17"	Poor	Multi-stem, trunk wound, dieback with rot and decay, dead limbs. This tree is a hazard and should be removed as soon as possible.	Remove as soon as possible	
M-29	Acer platanoides	Sugar Maple	9"	Good		Not to be impacted	
M-30	Acer platanoides	Sugar Maple	9"	Good		Not to be impacted	
M-31	Acer platanoides	Sugar Maple	9"	Good		Not to be impacted	
M-32	Acer platanoides	Sugar Maple	10"	Good		Not to be impacted	
M-33	Acer platanoides	Sugar Maple	9"	Good		Not to be impacted	
M-34	Acer platanoides	Sugar Maple	10"	Moderate	Lost leader	Not to be impacted	
M-35	Acer platanoides	Sugar Maple	9"	Good		Not to be impacted	
M-36	Acer platanoides	Sugar Maple	8"	Good		Not to be impacted	
M-37	Acer platanoides	Sugar Maple	5"	Good		Not to be impacted	
M-38	Acer platanoides	Sugar Maple	9"	Moderate	Pruning damage, included bark at branch union	Not to be impacted	
M-39	Acer platanoides	Sugar Maple	9"	Moderate	Pruning damage	Not to be impacted	
M-40	Acer platanoides	Sugar Maple	9"	Good		Not to be impacted	

TREES TO BE REMOVED							
TREE NUMBER	BOTANICAL NAME	COMMON NAME	SIZE(D.B.H.)	TREE CONDITION	COMMENTS	STATUS	REMOVAL STATUS
M-1	Robinia pseudoacacia	Black Locust	23" (Approximate)	Poor	Dieback with rot and decay, Poison Ivy and Climbing Euonymus on trunk. This tree is a hazard and should be removed as soon as possible.	To Be Removed	Within the Limit of Disturbance
M-2	Prunus serotina	Black Cherry	20"	Poor	Off-site. This tree is a hazard and should be removed as soon as possible.	To Be Removed	Within the Limit of Disturbance
ST-3	Robinia pseudoacacia	Black Locust	27" (Approximate)	Poor	Dieback, rot and decay, Poison Ivy on trunk, dead limbs, tree growing out of trunk wound. This tree is a hazard and should be removed as soon as possible.	To Be Removed	Within the Limit of Disturbance
ST-4	Robinia pseudoacacia	Black Locust	27.0" (Approximate)	Moderate-Poor	Poison Ivy and Climbing Euonymus on trunk, trunk cavity, rot and decay, borer damage	To Be Removed	Within the Limit of Disturbance
ST-5	Robinia pseudoacacia	Black Locust	28" (Approximate)	Moderate	Euonymus on trunk, dead limbs, dieback, decay	To Be Removed	Within the Limit of Disturbance
ST-8	Fraxinus americana	White Ash	46"	Poor	Climbing Euonymus on trunk, trunk cavity, dieback, dead branches, rot and decay. This tree is a hazard and should be removed as soon as possible	To Be Removed	Within the Limit of Disturbance
ST-11	Acer platanoides	Norway Maple	64" (Approximate)	Poor	Lost leader, girdling roots, rot and decay, compartmentalized root wound, English Ivy on trunk. This tree is a hazard and should be removed as soon as possible	To Be Removed	Outside Limit of Disturbance. To be replaced by 1 American Elm Liberty.
ST-12	Acer platanoides	Norway Maple	24" (Approximate)	Poor	Off-site. This tree is a hazard and should be removed as soon as possible	To Be Removed	Within the Limit of Disturbance
ST-13	Prunus serotina	Black Cherry	24"	Poor	Compartmentalized root wounds, dieback with rot and decay, dead limbs. This tree is a hazard and should be removed as soon as possible.	To Be Removed	Outside Limit of Disturbance. To be replaced by 1 American Elm Liberty.
ST-14	Acer negundo	Boxelder	32"	Poor	Dead limbs, dieback with rot and decay, trunk cavity, Climbing Euonymus on trunk. This tree is a hazard and should be removed as soon as possible.	To Be Removed	Outside Limit of Disturbance. To be replaced by 1 American Elm Liberty.
M-15	Prunus serotina	Black Cherry	16.8" (Approximate)	Poor	Multi-stem, trunk cavity, dieback, water sprouts. This tree is a hazard and should be removed as soon as possible	To Be Removed	Outside Limit of Disturbance. To be replaced by 1 American Elm Liberty.
M-16	Robinia pseudoacacia	Black Locust	16"	Moderate-Poor	Poison Ivy on trunk, dead limbs	To Be Removed	Within the Limit of Disturbance
M-17	Robinia pseudoacacia	Black Locust	18"	Poor	Dead limbs, dieback, rot and decay. This tree is a hazard and should be removed as soon as possible	To Be Removed	Within the Limit of Disturbance
ST-17	Robinia pseudoacacia	Black Locust	26.0"	Dead	This tree is a hazard and should be removed as soon as possible	To Be Removed	Outside Limit of Disturbance. To be replaced by 1 American Elm Liberty.
ST-18	Robinia pseudoacacia	Black Locust	25.2"	Poor	Trunk wound, included bark at branch union, dead leader. This tree is a hazard and should be removed as soon as possible	To Be Removed	Within the Limit of Disturbance
ST-20	Acer saccharinum	Silver Maple	35.5"	Moderate	Girdling roots, dieback	To Be Removed	Within the Limit of Disturbance
ST-21	Robinia pseudoacacia	Black Locust	26.2"	Poor	English Ivy on trunk, dead leader, compartmentalized root wound. This tree is a hazard and should be removed as soon as possible	To Be Removed	Within the Limit of Disturbance
ST-22	Robinia pseudoacacia	Black Locust	30"	Poor	Dead limbs, dieback, rot and decay. This tree is a hazard and should be removed as soon as possible	To Be Removed	Within the Limit of Disturbance
ST-23	Robinia pseudoacacia	Black Locust	30"	Poor	Dead limbs, dieback, rot and decay. This tree is a hazard and should be removed as soon as possible	To Be Removed	Within the Limit of Disturbance
ST-24	Quercus rubra	Northern Red Oak	38"-0"	Poor	Decay, dead limbs, dieback, rot and decay, lost leader. This tree is a hazard and should be removed as soon as possible	To Be Removed	Outside Limit of Disturbance. To be replaced by 1 American Elm Liberty.
M-27	Prunus serotina	Black Cherry	15"	Poor	Multi-stem, trunk wound, dieback with rot and decay, dead limbs. This tree is a hazard and should be removed as soon as possible.	To Be Removed	Within the Limit of Disturbance
M-28	Prunus serotina	Black Cherry	17"	Poor	Multi-stem, trunk wound, dieback with rot and decay, dead limbs. This tree is a hazard and should be removed as soon as possible.	To Be Removed	Within the Limit of Disturbance



Banning & Associates, Inc.
14000 South Lakeshore
8935 Shady Grove Center
Gaithersburg, MD 20877
(301)948-0240



INTERNATIONAL SOCIETY OF
ARBORICULTURE CERTIFIED
ARBORIST # MA-4514A

CITY OF GAITHERSBURG 31 SOUTH SUMMIT AVENUE GAITHERSBURG, MARYLAND 20877	
FCP APPROVAL	
THE CITY OF GAITHERSBURG DEVELOPMENT REVIEW TEAM HEREBY GRANTS APPROVAL OF FOREST CONSERVATION PLAN	
FOR APPLICATION NO. PLV080015	
DATE <u>5/29/09</u> BY <u>[Signature]</u>	

REVISION

DATE
03/02/2009
05/21/2009

SCALE

DRAWN

DATE 02/13/2009

SHEET SHEET 2 OF 3

FILE NO. 08001SP2

PROPERTY OF

ST. MARTIN'S CHURCH

L.378 F.149

CITY OF GAITHERSBURG

FOREST CONSERVATION/
TREE SAVE PLAN

MADDOX
INCORPORATED

ENGINEERS • SURVEYORS

100 PARK AVENUE
ROCKVILLE, MARYLAND 20850-2699
(301) 762-9001

2012 Annual Planning Report

Overview and Introduction

Prepared by the City of Gaithersburg Planning and Code Administration
on behalf of the Planning Commission
for the period January 2012 through December 2012

The year 2012 saw a significant uptick in commercial and residential building activity, indicating that economic recovery continues on a strong and persistent course. Significant improvement was also seen in commercial vacancy rates further underscoring this trend. At the recession's peak in 2009, Gaithersburg's vacancy rate for Class A & B office properties had spiked to 19%, but by 2012, that vacancy rate declined to 12.5%. The most significant events in 2012 were the issuance of the first building permits for Crown and The Spectrum, two of the City's largest multi-phase development projects. First occupancies were also granted for Archstone's Westchester at East Diamond and the Apartment Homes at Hidden Creek. Historic Preservation was also at the forefront in 2012, with the designation of six individual historic resources which, in part, made up the circa 1900 Tschiffely-Kent Farm.

Current Development Overview

Crown

With the issuance of the first commercial building permits, the year 2012 marked a significant new phase for Crown, a mixed use, town center style development that integrates sustainable development concepts. Organized in five neighborhoods, overall the development includes 2,250 residential units and 320,000 square feet of future commercial uses. Downtown Crown specifically includes 260,821 square feet of commercial space and 538 apartment units. The development will be anchored by a 57,652 square foot Harris Teeter grocery store and a 74,000 square foot LA Fitness. Additional tenants within the development include Coastal Flats, La Madeline, Ta Tagliatella, and Paladar Latin Kitchen and Rum Bar.

In October, permits were issued for three retail pad sites ranging from 5,000-7,000 square feet in floor area, with permits for LA Fitness being issued in November. Although these permits were issued in 2012, official construction of the urban core will commence in 2013.

Crown Neighborhood Two was also granted final site plan approval for 140 townhouse units. KB Homes will build 56 townhomes and Pulte will build 84 units. KB Homes plans to market their units in the mid-\$600,000 range.

The Spectrum at Watkins Mill

The Spectrum at Watkins Mill is a planned 27 acre mixed-use urban village east of I-270 at the intersection of MD 355, Frederick Avenue, and Watkins Mill Road, and home to the future Watkins Mill Interchange. In 2012, construction began on two mixed use buildings, known as Paramount East and West. Paramount East contains 114 units and 3,770 square feet of commercial space. Paramount West includes 110 units and 9,240 square feet of retail space framing Performer's Park. Performers Park features an outdoor stage and dining area, a splash fountain, and a landscaped green that will be programmed with entertainment and special events. In 2012, the City also approved a modification of the approved schematic development plan for The Spectrum that totally redesigned the south end of the development transforming it from a traditional strip center layout to an urban, pedestrian friendly, mixed-use design. This modification added 287 apartment units, 6,600 square feet of retail space, 5,400 square feet of restaurant space along with a 359 space parking garage.

Watkins Mill Town Center

The Parklands at Watkins Mill Town Center opened for sales in summer 2010, and is the residential component of the larger Watkins Mill Town Center. The Parklands continued development in 2012 with 71 new residential building permits issued during the year. Watkins Mill Town Center is a 125-acre, mixed-use development is located along I-270 at the future Watkins Mill Road interchange, currently accessed via Clopper Road. Watkins Mill Town Center is slated to include nearly 4.5 million square feet of Class A office, hotel, restaurants, retail and residential product surrounded by significant forest preserves and stream valley buffers, and includes right of way for the future Corridor Cities Transitway. It will provide a pedestrian-friendly environment with easy access to transit, services, restaurants and shopping. Final site plan approval has not been issued yet for the Urban Core at Watkins Mill which is slated to include Class A office and luxury multi-family units, 225,000 SF of first-floor retail, as well as a hotel tower.

In 2012, the developer of Watkins Mill Town Center received approval for an amendment to the schematic development plan, shifting 10,000 square feet of first floor retail space that was intended for "live/work" units to a hotel site elsewhere in the development. This modification will allow the construction of twenty townhomes within the urban core, which sets the stage for the construction of twenty-three single family units in the final phase of residential construction at the Parklands.

Other Development Activity of Note

In 2012, the City approved the annexation of the Sears/Great Indoors property on Shady Grove Road following significant opposition by the City of Rockville. This nearly 28 acre property was zoned MXD Mixed Use Development. This action will allow either reoccupancy of the existing 204,490 square foot commercial structure, or pave the way for future redevelopment of the site.

The Vistas, the final residential portion of Quince Orchard Park, began site work and sales of units in 2010. Construction was well underway in 2012 with the issuance of 51 residential building permits. The 11.68-acre site was approved for 83 dwelling units, including 13 single family detached houses, 38 townhouses,

and 32 multi-family (two over two) condominium units. The plan includes active and passive recreation areas and right-of-way for the future Corridor Cities Transitway.

Woodfield Investments substantially completed construction and received occupancies on The Apartment Homes at Hidden Creek, a redevelopment project that received final plan approval in 2010. Located at Goshen Road and Girard Street, the project includes a mix of uses in the project, including 300 multi-family units and 12,000 square feet of retail and amenity uses on approximately 6.58 acres of land.

Archstone-Smith completed construction and received occupancy for the designated Smart Site project, Westchester at East Diamond, a five-story building with four stories of apartments above ground floor retail located within the City's Olde Towne area. The new development provides 18,000 square feet of retail space and 389 apartment units, with a 728-space parking garage. A major component of this project is the construction of Teacher's Way, a new public street, which is a collaborative effort between Archstone, the City, and Montgomery County Public Schools (MCPS) using State and federal funds. This new street will provide additional connectivity within Olde Towne and create an additional traffic route which will help to improve traffic circulation within this vital part of the city. The City plans to begin construction of Teacher's Way in 2013.

City Initiatives

Long Range Planning and Transportation

In 2012, City Staff were given the authorization to proceed with hiring a consultant to produce the Frederick Avenue Corridor and Vicinity Development Capacity Study. This study will include a baseline report, a market analysis, a fiscal analysis, and recommendations for implementation. The study will be completed Fall 2013.

The City hired Municap as a consultant to conduct a preliminary analysis for the potential formation of a Tax Increment Finance (TIF) District as a method to fund infrastructure improvements for the future Watkins Mill Interchange. The preliminary analysis strongly indicated that a TIF District could provide the necessary gap in funding for the \$160M project, and the Mayor and City Council authorized staff to continue work on implementing a TIF.

Planning Policies and Procedures

In 2012, the City initiated and adopted two significant amendments to the Adequate Public Facilities Ordinance. Text Amendment T-404 created a mechanism for the school test that permits the Mayor and City Council to grant a waiver of the existing 110% school capacity standard provided certain standards are met. This amendment reduced school capacity restrictions on development within the Frederick Avenue corridor and Olde Towne. Text Amendment T-405 amended the level of trip generation which triggers the submission of a traffic impact study as well as the timing for submission of a preliminary and final traffic study. Both of these modifications helped to remove significant barriers to development within the City.

Economic Development

Gaithersburg's proactive approach to economic development helped the City make remarkable progress with its post-recession recovery efforts in 2012. Ramping up its Economic Development Toolbox program, the City's Office of Economic Development approved over a dozen grants last year, awarding nearly \$345,000 to companies expanding or relocating within Gaithersburg. These grants supported over 100 jobs and catalyzed nearly \$7,000,000 in private investment. At the recession's peak in 2009, Gaithersburg's vacancy rate for Class A & B office properties had spiked to an alarming 19%, higher than had ever been recorded. By 2012, that vacancy rate declined to 12.5%, lower than the county-wide average.

Created in 2012, the Toolbox program was established to provide diversified economic development incentives, primarily in the form of matching grants, that could be broadly applied to existing businesses and eligible commercial buildings/spaces across the City. Incentives are generally directed toward existing business that exhibit growth potential and provide stable, well-paying jobs. Certain additional incentives are related to long-term marketability of commercial space. Specific toolbox programs include matching grants for tenant improvements, job training assistance, commercial signage assistance, demolition assistance, ADA compliance, and utility upgrades.

In 2011, the Economic Development Opportunities Fund (EDOF) program was established by the City to support even bigger and more unique opportunities to grow and/or retain jobs within Gaithersburg. In 2012, the City awarded its first Economic Development Opportunities Fund (EDOF) grant to Adventist Health Care Systems to support the relocation of their headquarters from Rockville to 820 West Diamond Avenue in Gaithersburg, bringing over 300 employees to the City. Gaithersburg subsequently awarded two more EDOF grants in 2012- one to Sodexo for retaining their North American headquarters and 586 employees at 9801 Washingtonian Boulevard, and the other to Novavax for relocating their headquarters and 110 employees from Rockville to 20 & 22 Firstfield Road.

The City of Gaithersburg has continued its revitalization efforts in the Olde Towne Central Business District (OTCBD) as well. In accordance with the Gaithersburg Olde Towne District Master Plan, the City continues its work to develop a vibrant, pedestrian-friendly urban center capable of sustaining a thriving business and residential mix. In 2012, Olde Towne witnessed the completion and grand opening of the Archstone at Olde Towne development, containing 389 apartment units and 18,000 square feet of ground floor retail. Additionally, City staff prepared and advertised a request for proposals (RFP) to solicit plans for a new development on the City-owned parcel at the corner of North Summit and Diamond Avenues. Gaithersburg also continued to promote the state Enterprise Zone designation Olde Towne received in 2008. This program provides tax incentives to property and business owners whose development, redevelopment or business expansion projects in the Olde Towne area qualify.

Historic Preservation

Calendar year 2012 was a busy year for historic preservation in Gaithersburg with the designation of nine historic resources. The filing of a demolition permit in the Fall of 2011 for a garage addition to the Kentlands Firehouse located at 321 Firehouse Lane triggered the Historic District Commission (HDC) to conduct an extensive review of nine historic resources in the Kentlands Old Farm neighborhood. The City commissioned

URS Corporation to undertake an extensive, and intensive, survey of those resources that comprised the circa 1900 Tschiffely-Kent Farm. As a result, the HDC initiated eight Historic Designation Applications for the Kentlands Mansion, the Arts Barn, the Carriage House, the Flour Mill, the Dog and Cat House, the Springhouse, the Grotto/Crypt, and the Superintendent's House. In total, five of the Historic Designation Applications were approved by the Mayor City Council, and the Kentlands Mansion, the Arts Barn, the Carriage House, the Flour Mill, and the Dog and Cat House became designated local historic resources. The Firehouse, being the subject of a separate application, was also individually designated.

In 2012, the HDC also revisited a prior decision regarding 13 DeSillum Avenue, known as the Sterick Cottage. In 2009, the former HDC directed the City Manager to issue a demolition permit for the building, but the permit was never issued. In July 2012, the applicant requested issuance, but was informed that due to the length of time since the HDC's approval, the demolition permit application would be reviewed again, first by the HDC, and then by the Mayor and City Council.

In September 2012, the HDC reviewed the demolition permit application for a second time. First, the HDC reversed the previous decision, noting that HDC failed to reference findings of fact and appropriate sections of the city code in rendering their decision. Second, the HDC found that the building at 13 Desillum Avenue met several criteria for designation and authorized staff to initiate a historic designation application for the Sterick Cottage. Ultimately, the Mayor and City Council denied, by resolution, the Historic Designation Application for the Sterick Cottage. A specialized architectural reclamation organization based in Baltimore, Maryland, Second Chance, Inc., dismantled the Sterick Cottage piece by piece, salvaging all those materials that could be saved and reutilized.

Permitting Services

After several years of work, in June 2012, the City went "live" with Energov, a new GIS based software system. An important feature of this software will allow public inquiry and submission of plans through the City's website. The City will also be able to conduct digital plan review. It is anticipated that this new software system will facilitate dramatic improvements in internal and external communications.

Environmental Services

During 2012, the Environmental Services division continued work on various environmental initiatives and programs. Staff collaborated with Public Works on a reforestation effort on City owned property following a revision to the policy for Reforestation on Public Lands. Environmental Services also worked with Public Works to initiate analyses of the three watersheds within the City and to complete a study of possible locations for Green Street retrofits.

Environmental Services staff participated in many outreach efforts in 2012, including the annual Green Week celebration in collaboration with the Environmental Affairs Committee (EAC). The certification report for the Sustainable Maryland Certified program was submitted to the Environmental Finance Center during 2012 and the Sediment and Erosion Control Ordinance was revised as required by the State.

Community Development

The Housing and Community Development Division is responsible for oversight of grant-funded programs that support the City's Strategic Directions. This Division also oversees the Gaithersburg Affordable Housing Program, which includes down payment and closing cost assistance loan funds, and the administration of the Moderately Priced Dwelling Unit (MPDU) Program.

Each year, the City receives Community Development Block Grant (CDBG) funds from the U. S. Department of Housing and Urban Development through a formula allocation. In 2014, the City was awarded \$365,800. Coupled with City funds, these grants are used to assist eligible first-time homebuyers with closing costs and down payment assistance to purchase residential properties within the City. CDBG funds are also used to assist very low-income City residents with rent and utility assistance to prevent eviction and utility disconnection.

After several years of planning and design, The Olde Towne Rolling Stock project was recently completed. This project received a SAFETEA-LU grant for restoration of the 1918 Buffalo Creek and Gauley #14 Steam Locomotive and acquisition of a C&O Railroad Bay Window Caboose and 1950s Budd Car. Enhanced landscaping, featuring new benches and outdoor lighting, was included in the project.

The City received Community Legacy grant funding from the Maryland Department of Housing and Community Development to renovate the interior of the 1884 B&O Train Station, including upgrades to the coffee shop, installation of new ADA bathrooms, and renovations to the dining and waiting-room area.

The City's MPDU program currently has 102 rental units fully leased with 12 for-sale MPDU and WFHUs under construction. An additional 73 rental and 27 for-sale townhome MPDUs are in production at Crown properties.

Summary and Year-to-Year Comparison of Smart Growth Measures and Indicators

	2010	2011	2012
Dwelling Units Approved	1,431	1,768 (540 net new)	291 (290 net new)
Residential Acres Approved	78.68	140.0	3.0
Commercial Square Feet Approved	549,412	687,888	44,148 (6,058 net new)
Commercial Acres Approved	80.05	123.6	3.3
Number of single family Lots Recorded	11	348	73
New Residential Building Permits Issued	193	129	168
New Commercial Building Permits Issued	3	88	9
Residential Use and Occupancy (U&O) Permits, including multifamily commercial U&O permits (total dwelling units)	166	224	592
Non-Residential Use and Occupancy Permits	104	87	174
Annexation Petitions	0	1	1
Annexation Acres	0	2,907	27.89